

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 34 - HB 297**

April 3, 2009

**SUMMARY OF BILL:** Includes as a prerequisite to judicial involuntary commitment for an individual to receive treatment that participation in mandatory outpatient treatment is unsuitable to meet the needs of the individual. Grants the court authority to order participation in any medically appropriate outpatient treatment without first committing the individual to involuntary care and treatment in a hospital or treatment resource.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$796,200**

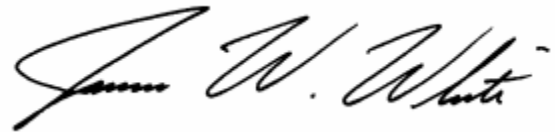
Assumptions:

- Currently, the court cannot order involuntary inpatient treatment for a person, subject to commitment, if all available less drastic alternatives to placement in a hospital or treatment resource are unsuitable to meet the needs of the person.
- The proposed legislation will grant courts the authority to order mandatory outpatient treatments in lieu of involuntary inpatient treatments if the mandatory outpatient treatment is a suitable less drastic alternative to commitment.
- Pursuant to Tenn. Code Ann. § 33-6-607, the Department of Mental Health and Developmental Disabilities must pay for mandatory outpatient treatment for indigent individuals. The proposed legislation will result in an increase in the number of mandatory outpatient treatments ordered by the court.
- DMHDD estimates at least 30 individuals will be ordered to mandatory outpatient treatment that will be funded by the Department. The individual will receive at least one session per week at a rate of \$92.29 per session plus pharmacy costs of \$287.91 per individual resulting in an increase in expenditures of \$593,112 [30 x (\$92.29 + \$287.91) x 52 weeks].
- The Department estimates that at least 15 of these individuals will also need substance abuse treatment of four days at a rate of \$260 per day resulting in an increase in expenditures of \$15,600 (15 x 4 days x \$260).

- DMHDD will need three additional case managers resulting in an increase in expenditures of \$187,498 which includes salaries (\$111,939), benefits (\$38,059), and operational costs (\$37,500).

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/kml